

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

DANIEL QUINTERO)

Case No. 1:22-MJ-88 (CFH)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.


From on or about the dates of May 1, 2019 and on or about March 2, 2022 in the county of Schenectady and elsewhere in the Northern District of New York the defendant violated:

Code Section
18 U.S.C. § 2522A(a)(2)

Offense Description
Receipt of Child Pornography

This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.



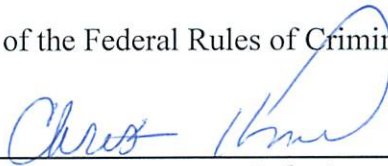
Complainant's signature

FBI SA Andrew J. Zubik

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: March 2, 2022

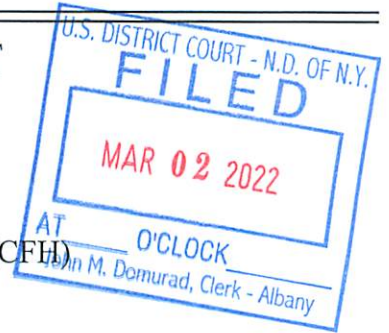


Judge's signature

City and State: Albany, NY

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title



Affidavit in Support of a Criminal Complaint

I, Andrew J. Zubik, being duly sworn, depose and state:

INTRODUCTION

1. I make this affidavit in support of a criminal complaint charging Daniel QUINTERO (“QUINTERO”) with knowingly receiving child pornography, using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including my computer.

2. I am a Special Agent with the FBI and have been since February 2016. I have conducted and participated in numerous investigations of criminal activity, including but not limited to criminal violations relating to child exploitation, including the sexual exploitation of minors and the possession, receipt and distribution of child pornography, in violation of 18 U.S.C. §§ 2251 and 2252A. During the investigation of these cases, I have participated in the execution of search warrants and seized evidence of these violations. In addition, I have received formal training in the area of child pornography and child exploitation. During the investigation of these cases, I have executed, or participated in the execution of, numerous search warrants, and seized evidence of these violations, including electronic evidence.

3. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officers, information gathered from the service of administrative subpoenas and responses to federal search warrants, and my experience and training as an FBI Agent.

4. Because this affidavit is being submitted for the limited purpose of supporting a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable

cause to believe that QUINTERO has violated Title 18, United States Code, Section 2252A(a)(1) ^{2 ASX Receipt ASX} (transportation of child pornography).
CSH

BASIS FOR A PROBABLE CAUSE FINDING

5. On March 2, 2022, law enforcement officers executed a federal search warrant for QUINTERO's residence located in Schenectady, New York. The warrant authorized the search of QUINTERO's residence, vehicle, and person, and computers, computer equipment, or computer storage media and electronic storage media located during the course of said searches for violations of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2) (possession of and access with intent to view child pornography) and 18 U.S.C. § 2252A(a)(2) (receipt of child pornography).

6. During execution of the search warrant, officers located an ASUS laptop ("laptop") on a bed, under the covers, in the main bedroom of the residence. Connected¹ to the laptop was a Western Digital external hard drive ("hard drive").² Law enforcement officers conducted a digital forensic preview of the hard drive and located hundreds of sexually explicit images and videos of children, who mostly appear to be between the ages of 8-14. An example of the sexually explicit images and videos include the following:

- a. A video compilation of a female child between the ages of 6 and 8 performing oral sex on an adult male³

¹ QUINTERO subsequently unplugged the external hard drive from the laptop in the presence of law enforcement officers.

² Your affiant observed the hard drive was manufactured in Thailand and France.

³ Your affiant recognized this video from previous investigations, and it is part of known National Center for Missing and Exploited Children ("NCMEC") series.

- b. A video of a female child between the ages of 10 and 12 digitally masturbating her vagina while her legs are spread.
- c. A video of a female child between the ages of 10 and 12 exposing her genitals in a lewd and lascivious manner.

7. Law enforcement officials provided QUINTERO with his Miranda warnings, which QUINTERO waived. In an audio recorded interview, QUINTERO admitted that he used a Tor⁴ browser to access a website featuring “hurt core” child pornography. In my training and experience, I know that “hurt core” refers to violent pornography. QUINTERO further admitted that he uses the Tor network to access, view, and download child pornography images and videos, and that he has done so for approximately the past four or five years.⁵ QUINTERO then told law enforcement officials how he accessed the Tor network. QUINTERO also stated that he downloads the child pornography images and videos from the Tor network to a file, which he then saves to his Western Digital external hard drive.

⁴ The Tor network, which is a computer network available to Internet users that is designed specifically to facilitate anonymous communication over the Internet. The Tor network attempts to do this by routing Tor user communications through a globally distributed network of relay computers, along a randomly assigned path known as a “circuit.” Because of the way the Tor network routes communications through the relay computers, traditional IP address-based identification techniques are not effective.

⁵ QUINTERO stated that he previously lived at an address in Colonie, NY, and that he moved to his current address in the summer of 2021. Law enforcement officials confirmed through he United States Postal Service and other means that QUINTERO resided at the address in Colonie, NY since approximately May 1, 2019.

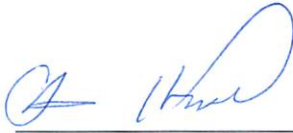
CONCLUSION

8. Based upon the above information, I respectfully submit that there is probable cause to believe that from on or about May 1, 2019 to March 2, 2022, QUINTERO knowingly received child pornography in violation of Title 18, United States Code, Section 2252A(a)(2)(receipt of child pornography).



Andrew J. Zubik
Special Agent, FBI

I, the Honorable Christian F. Hummel, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on March 2, 2022 in accordance with Rule 41 of the Federal Rules of Criminal Procedure.



Hon. Christian F. Hummel
United States Magistrate Judge